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E.O. 12958: DECL: 12/31/2032  
TAGS: [ECON](#) [PARM](#) [PREL](#) [IZ](#)  
SUBJECT: NEXT STEPS ON TUWAITHA MATERIALS

REF: A. STATE 163968  
[1](#)B. BAGHDAD 4126  
[1](#)C. STATE 169324  
[1](#)D. BAGHDAD 2454  
[1](#)E. BAGHDAD 1787  
[1](#)F. BAGHDAD 734  
[1](#)G. BAGHDAD 4227  
[1](#)H. STATE 171234

Classified By: NEA DAS LAWRENCE E. BUTLER FOR REASONS  
E.O. 12958 SEC. 1.4 (B), (D), AND (H).

[1](#)1. (S) SUMMARY. As post continues to pursue REF A objectives, the following objectives and background information should help post expedite discussions with the Government of Iraq (GOI) on removing Tuwaitha's yellowcake and irradiators. END SUMMARY.

#### OBJECTIVES

[1](#)2. (S) The following objectives are intended to complement those in REF A, in response to new information in REF B. The USG endorses deferring negotiations over the GOI's percentage of transport and packing costs until the operation's completion when such costs are fully known.

-- Revisit the designation of Prime Minister Maliki as the GOI representative authorized to sign a sales contract on grounds of impracticality. Encourage the designation of some other entity than the head of government. Seek reassurance that those negotiating the sales contract will speak with authority.

-- Confirm what role the Tuwaitha Committee plays in GOI decision-making.

-- Inform the GOI that, after removing the damaged irradiators, the USG will work with the GOI to determine for what applications the GOI would use such irradiators. Based on this plan, the USG is prepared to assist the GOI in approaching proper regulatory agencies and manufacturers to secure appropriate replacements.

-- Secure copies of letters from PM Maliki to Amb. Najib and to USG (REF B) as soon as possible; if the letters are not forthcoming, determine what process or timetable the GOI is employing to obtain Cabinet approval.

#### BACKGROUND

[1](#)3. (SBU) Irradiators: Non-nuclear replacements for irradiators do exist. However, the purpose for which they would be used must be, as a technical matter, clearly defined. For example, electron accelerators can replace irradiators that generate gamma rays, but are only suitable for certain applications. Substitutes also come with other issues -- accelerators require a reliable power supply, whereas irradiators do not. Therefore, understanding the GOI's intended uses for irradiators is necessary to properly

assist the GOI in finding non-nuclear substitutes.

¶4. (SBU) IAEA Seals: Prior to the repackaging of the yellowcake, the GOI is obligated to inform the IAEA of intent to break IAEA seals at Tuwaitha (REF C, H).

¶5. (S) Following is a summary of past GOI decisions on yellowcake for post to use as needed if GOI attempts to walk-back what has already been agreed upon, including similar requests for assistance from different ministries:

--Nov 11, 2007: Minister of Science and Technology (MOST) Raid J. Fahmy in a letter to Amb. Crocker requested USG assistance in "getting rid of the nuclear materials stored at site (C) through helping the committee formed for this purpose by: 1) Assisting in identifying potential buyers for these materials; 2) Providing informal advice as requested during the negotiations that will take place during the sales process; 3) Repackaging and transporting these materials in coordination with IAEA to ensure compliance with the requirements of the system of safeguards; 4) Agreeing to negotiate the expenses of repackaging and the transportation process along with the readiness of the Iraqi government to facilitate the entry of persons designated to perform this work and the equipment which they will use; 5) Facilitating all clearances for exporting the materials and temporary storage, if necessary."

--Aug 6, 2007: The MFA Dept of Organizations and International Cooperation sent a letter to Embassy Baghdad "seeking assistance in getting rid of the nuclear materials stored at Site C through your helping the Committee formed for that purpose in the following areas: 1) Specifying buyers for these materials; 2) Conducting negotiations during the sales process; 3) Repacking and transferring these materials in coordination with the IAEA to ensure compliance with the requirements of the system of guarantees; 4) Entering into discussions concerning repackaging and transferring expenses. The government of Iraq is prepared to facilitate the entry of the persons specified to carry out the work as well as the equipment and tools which they will use."

--July 23, 2007: Embassy's Energy Attache informed the Tuwaitha Committee that ammonium nitrate will not be included in the operation to remove the yellowcake and irradiators (REF C).

--May 27, 2007: Amb. Najib informed Embassy officers that the Tuwaitha Committee had been formed and that decisions on this issue would be made above the level of the MOST (REF D).

--February 27, 2007: The Prime Minister's Chief of Staff Tariq Abdullah informed the DCM that the GOI would accept delayed reimbursement should a buyer not be immediately found and hoped that the sales price would at least cover the removal costs (REF E).

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